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The law affords to contract-ing parties considerable freedom to choose the law that is to govern their contract (see further pp. 394–395, Chapter 12, Section 3(f)) and they will generally select as the applicable law the law of a nation state (usually, but not always, the domestic law of one of the parties to the contract).

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Ewan Mckendrick is Herbert Smith Professor of English Private Law, Registrar of the University of Oxford, and a fellow of Lady Margaret Hall. He is a barrister at 3 Verulam Buildings, Gray's Inn, London, and has published widely in the areas of contract law, commercial law, and tort law.

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